

TEXAS TRANSPORTATION COMMISSION

Various Counties

MINUTE ORDER

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Various Districts

Transportation Code, §201.206, authorizes the Texas Department of Transportation (department) to accept a donation in any form, including realty, personalty, money, materials, and services, for the purpose of carrying out its functions and duties. Government Code, Chapter 575, requires the governing board of a state agency to acknowledge the acceptance of a donation valued at \$500 or more by majority vote at an open meeting, not later than the 90th day after the date the donation is accepted. It also prohibits a state agency from accepting a donation from a person who is a party to a contested case before the agency until the 30th day after the date the decision in the case becomes final.

The Texas Transportation Commission (commission) has adopted 43 TAC §§1.500-1.506, which relate to the department's acceptance of donations. Section 1.503 authorizes the executive director to approve acceptance of donations to the department and requires that donations valued at \$500 or more must be acknowledged by order of the commission not later than the 90th day after the date the donation is accepted by the department. It further prohibits acceptance of a gift or donation when the donor is subject to department regulation or oversight or when the donor is interested in or likely to become interested in any contract, purchase, payment, or claim with or against the department, except as provided by that section. It also provides that the executive director may approve the acceptance of a donation, notwithstanding the foregoing proscriptions in the rules, if the executive director determines that acceptance would provide a significant public benefit and would not influence or reasonably appear to influence the department in the performance of its duties.

Transportation Code, §223.049 authorizes the department to contract with an owner of land adjacent to a highway that is part of the state highway system to construct an improvement on the highway right of way that is directly related to improving access to or from the owner's land. Exhibit A lists donations resulting from a contract executed by the department under Transportation Code, §223.049 and other donations accepted under Transportation Code, §201.206.

The department also acquires by donation land used for highway improvement projects. Exhibit B lists property donated to the department for that purpose. The department has determined that acceptance of these donations is in the best interest and welfare of the traveling public and will provide a significant public benefit.

The commission established the Sponsorship Acknowledgement Program under 43 TAC Chapter 12, Subchapter K. The program, which is authorized by the Federal Highway Administration in FHWA Order 5610.1A, allows the department to place signs acknowledging donations made to the department to fund transportation related services. Exhibit C lists donations made to the department under the Sponsorship Acknowledgement Program.

The executive director has determined that the donations identified in the attached exhibits comply with the applicable provisions of 43 TAC §§1.500-1.506, 43 TAC §12.353, Government Code, Chapter 575 and Transportation Code, §201.206, §223.049 and §224.001, and has approved acceptance of those donations. All required donation agreements have been executed under 43 TAC §1.504 and §1.506, as applicable.

IT IS THEREFORE ORDERED by the commission that it acknowledges the acceptance of the donations identified in the attached Exhibits A, B, and C.

Submitted and reviewed by:

Recommended by:

DocuSigned by:

Kenneth Stewart

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Director, Contract Services Division

DocuSigned by:

Ma D Willis

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Executive Director

116175 December 9, 2021

Minute Number	Date Passed
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EXHIBIT A
DONATIONS
December 9, 2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
1.	4M Endeavors LLC	San Antonio District	Bexar	The donor is donating design and construction for installation of Median on FM 2252 located approximately north main lanes at intersection of Nacogdoches Road (FM 2252) and O'Connor Road in San Antonio, Bexar County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$64,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$64,000.00	10/26/2021
2.	American Traffic Safety Services Association	Traffic Safety Division	N/A	The donor is donating registration fees, airfare, meals, lodging, and other travel costs for Heather Lott and Rafael Riojas to attend the ATSSA 52nd Annual Convention and Traffic Expo in Tampa, FL held on Feb. 12-15, 2022. The donation will cover travel expenses up to \$1,500.00 to include hotel charges, meals, and other incidentals. The costs are estimated to be \$3,000.00, and donor will reimburse actual costs to TxDOT.	\$3,000.00	11/14/2021
3.	BGM Land Investments, LTD.	Houston District	Harris	The donor is donating design and construction of a left turn lane from westbound Business US 90 into the Edgewood Village Subdivision development in Houston, Harris County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$93,000.00.	\$93,000.00	11/14/2021
4.	Cayetano Development, LLC	Austin District	Bastrop	The donor is donating design and construction of deceleration lanes on SH 95 from 1.5 miles north of FM 2336 to 2.2 miles north of FM 2336 in Bastrop, Bastrop County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$1,300,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$1,300,000.00	11/03/2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
5.	Celts International, LLC	Waco District	Bell	The donor is donating design and construction of three road connections to TXDOT roads in Salado, Bell County, Texas. One connection to FM 2484 at Event Drive and two connections to southbound IH35 frontage road north of FM 2484. The FM 2484 connection shall include deceleration lanes in both the eastbound and westbound direction. Both connections to the southbound IH 35 frontage road shall include a deceleration lane. All design and construction will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$810,000.00.	\$810,000.00	11/18/2021
6.	Continental Homes of Texas, L.P.	Austin District	Bastrop	The donor is donating design and construction of deceleration and acceleration lanes on FM 969 from 0.1 miles north of Blakey Lane to 0.4 miles north of Blakey Lane in Bastrop, Bastrop County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$290,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$290,000.00	11/08/2021
7.	Formosa Plastics Corporation, Texas	Yoakum District	Calhoun and Jackson	The donor is donating a fixed sum of \$4,000,000.00 to design and construct two additional through lanes along with turning lanes for public use on FM 1593, from SH 35 to 3.6 miles North of SH 35 and on SH 35, from 1.12 miles East of FM 1593 to 1.72 miles East of FM 1593 in Calhoun and Jackson Counties, Texas. The work will be done by TxDOT. This is a \$10 million project. The CSJs are 1090-04-018, 1090-05-020 and 0179-10-112.	\$4,000,000.00	11/17/2021
8.	HW Holdings LLC	Houston District	Fort Bend	The donor is donating design and construction of a traffic signal from FM 762 at Wildwood Park Drive intersection into the Veranda development in Richmond, Fort Bend County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$230,000.00.	\$230,000.00	10/29/2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
9.	KM 146 Partners, LP	Beaumont District	Chambers	The donor is donating design and construction of a right turn lane along the eastbound IH-10 frontage road into Chambers Commons Drive and intermittent right turn lanes along SH 146 southbound from Old Needlepoint Road to 1,820 feet north in Chambers County, Texas. It also includes enclosing the drainage on the west side of SH 146 along the right turn lanes by installing roughly 1,212 feet of 24" reinforced concrete pipe. The estimated value of the donation is \$1,300,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way. <i>(Replaces previously acknowledged on 4/29/2021 due to a change in scope.)</i>	\$1,300,000.00	10/25/2021
10.	Lennar Homes of Texas Land and Construction, Ltd.	Austin District	Caldwell	The donor is donating design and construction of a two-way center turn lane on US 183 from 0.2 miles north of Summerside Avenue to 0.5 miles north of Summerside Avenue in Lockhart, Caldwell County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$240,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$240,000.00	11/17/2021
11.	Meritage Homes of Texas, LLC	Houston District	Galveston	The donor is donating design and construction of two right turn lanes from westbound SH 96 into the Kemah Crossing development in Kemah, Galveston County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$270,000.00.	\$270,000.00	11/14/2021
12.	Morris Venture Partners IV, LLC	Waco District	Bell	The donor is donating design and construction of a right turn deceleration lane along W. Adams Avenue eastbound into the Trinity Plaza development in Temple, Bell County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$180,000.00.	\$180,000.00	11/18/2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
13.	Pulte Homes of Texas, L.P.	San Antonio District	Comal	The donor is donating design and construction for installation left turn and right turn lanes on FM 1101 located approximately 0.95 miles north of FM 306 to 0.23 miles South of Kroesche Lane in New Braunfels, Comal County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$960,000.00.	\$960,000.00	10/25/2021
14.	QT South, LLC	Austin District	Williamson	The donor is donating a fixed sum to construct a new signal on SH 29 at CR 214 in Liberty Hill, Williamson County, Texas. All design and construction work will be provided by the State. This project will be a part of a current TxDOT project under CSJ #0914-00-456.	\$99,000.00	10/22/2021
15.	Ranch Road Railhead, LLC	Austin District	Bastrop	The donor is donating design and construction of deceleration lanes on SH 21 from 0.15 miles east of Voss Parkway to 0.5 miles east of Voss Parkway in Cedar Creek, Bastrop County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$290,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$290,000.00	11/17/2021
16.	Refugio ISD Education Foundation	Traffic Safety Division	Refugio	The donor is donating a fixed sum of \$5,727.00 to design, fabricate, and install two memorial highway designation signs on the portion of US 77 within Refugio County, designated as the Second Lieutenant Lloyd "Pete" Hughes Medal of Honor Memorial Highway within Refugio County, Texas. The design, fabrication, and installation of the signs will be performed by the State.	\$5,727.00	11/17/2021
17.	Ryan Companies US, Inc.	Austin District	Travis	The donor is donating a fixed sum of \$25,000.00 to cover the State's cost to conduct a Traffic and Revenue Analysis Study at the intersection of SH 130 and E. Howard Lane in Manor, Travis County, Texas. The analysis to be conducted is regarding the potential addition of an on and off ramp at the location of the intersection.	\$25,000.00	11/10/2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
18.	Shea Homes Houston, LLC	Houston District	Montgomery	The donor is donating design and construction of a driveway and a right turn lane along eastbound SH 242 into the Evergreen Development in Montgomery County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$500,000.00.	\$500,000.00	11/17/2021
19.	Sig Magnolia LP	Houston District	Montgomery	The donor is donating design and construction of 2 street tie-ins to connect to the east side of FM1486 to serve the Magnolia Springs Residential development in Montgomery County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$100,000.00.	\$100,000.00	10/19/2021
20.	SMBC Leasing and Finance, Inc.	Houston District	Harris	The donor is donating design and construction of a right turn lane from eastbound IH 10 into the Marathon Oil Company development in Houston, Harris County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$600,000.00.	\$600,00.00	10/17/2021
21.	State Representative Cody Harris	Traffic Safety Division	Anderson	The donor is donating a fixed sum of \$11,454.00 to design, fabricate, and install four memorial highway designation signs on the portion of LP 256 in Palestine, designated as the Bascom W. Bentley III Memorial Loop within Anderson County, Texas. The design, fabrication, and installation of the signs will be performed by the State.	\$11,454.00	11/16/2021
22.	The Grassdale at Manor, LLC	Austin District	Travis	The donor is donating design and construction of a new signal at the intersection of US 290 and Greenbury Drive in Manor, Travis County, Texas. The improvements include installation of traffic poles, striping, and signage. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$320,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$320,000.00	10/22/2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
23.	The Methodist Hospital	Houston District	Montgomery	The donor is donating design and funds sufficient to cover the State's cost to construct a right turn lane on IH 45 northbound Frontage Road near SH 242 (CSJ 0110-04-202) in Conroe, Montgomery County, Texas. The design will be provided by the donor, its consultant, or its contractor. The State will perform all construction work. The estimated value of the donation is \$290,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$290,000.00	10/25/2021
24.	Townsend Reserve, Ltd.	Houston District	Montgomery	The donor is donating design and construction of 2 street tie-ins to connect to the south side of FM 2090 to serve the Townsend Reserve Development in Montgomery County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$100,000.00.	\$100,000.00	11/11/2021

EXHIBIT B
ROW ACQUISITION BY DONATION
December 9, 2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	TXDOT VALUE	ROW CSJ NO./Parcel No.	DATE ACCEPTED
1.	Aggie Properties, Inc.	Bryan District	Brazos	Donation of 0.0299 acres of land on FM 60. The property being donated will be utilized as Right of Way for FM 60.	\$976.69	0506-01-042 Between Parcel 14 & 15	09/23/2021
2.	Carma Easton, LLC.	Austin District	Travis	Donation of 2.2138 acres of land from 0.89 miles south of US 183 to 1.32 miles south of US 183. The property being donated will be utilized to realign FM 1625.	\$11,609.00	1535-01-016 Parcel 1	09/23/2021

EXHIBIT B
ROW ACQUISITION BY DONATION
December 9, 2021

3.	Carma Easton, LLC.	Austin District	Travis	Donation of 0.1510 acres of land from 0.89 miles south of US 183 to 1.32 miles south of US 183. The property being donated will be utilized to widen the shoulder from US 183 to William Cannon.	\$723.56	1535-01-016 Parcel 6	09/23/2021
4.	Millennium Interests, LTD	Austin District	Caldwell	Donation of 0.101 acres of land on FM 1854 from County Road 672 to County Road 169. The property being donated will be utilized to facilitate widening the road and shoulder construction.	\$486.00	5500-00-046 Parcel 1	09/23/2021
5.	Brock Independent School District	Fort Worth District	Parker	Donation of 0.1190 acres of land at Little Grindstone. The property being donated will be utilized in constructing roadway turn lanes to improve mobility and safety along FM 1189 and Little Grindstone in Parker County, Texas.	\$24,215	1468-01-026 Parcel 1	09/23/2021

EXHIBIT C
DONATIONS
December 9, 2021

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION
1	Freedom Solar Power	Austin	Travis	The donor is donating \$1,918.80 under the Sponsor a Highway Program for a period of 2 years. This is a contract renewal on an existing sign location.
2	Sport Clips, Inc.	Austin	Travis	The donor is donating \$3,704.40 under the Sponsor a Highway Program for a period of 2 years. This is a contract renewal on two existing sign locations.
3	Sport Clips, Inc.	Austin	Williamson	The donor is donating \$2,041.20 under the Sponsor a Highway Program for a period of 2 years. This is a contract renewal on an existing sign location.
4	Elephant Insurance Services, LLC	Dallas	Collin	The donor is donating 3 miles of litter pick up per month for 2 years under the Sponsor A Highway Program
5	Frisco Tint Inc.	Dallas	Collin	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
6	Elephant Insurance Services, LLC	Dallas	Dallas	The donor is donating 6 miles of litter pick up per month for 2 years under the Sponsor A Highway Program
7	Hilltop Securities Inc.	Dallas	Dallas	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
8	Elephant Insurance Services, LLC	Dallas	Denton	The donor is donating 2 miles of litter pick up per month for 2 years under the Sponsor A Highway Program
9	Elephant Insurance Services, LLC	Fort Worth	Tarrant	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
10	Elephant Insurance Services, LLC	Houston	Harris	The donor is donating 3 miles of litter pick up per month for 2 years under the Sponsor A Highway Program

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION
12	AFO-BOSS, LLC dba Buchanan Disposal Solutions	Odessa	Midland	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
13	Pioneer Natural Resources Company	Odessa	Midland	The donor is donating 10 miles of litter pick up per month for 2 years under the Sponsor A Highway Program
14	Thomas OilField Services, LLC	Odessa	Midland	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
11	Continental Tire the Americas, LLC	San Antonio	Bexar	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program
15	Holdsworth & Nicholas, Inc. f.b.o. Texas MedClinic	San Antonio	Bexar	The donor is donating 2 miles of litter pick up per month for 2 years under the Sponsor A Highway Program